



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Owens et al

FILED: April 21, 2004

SERIAL NO.: 10/828,782

**FOR: Mouse/Human Chimeric
Anti-Phencyclidine Antibody And
Uses Thereof**

§
§
§
§
§
§
§
§
§

ART UNIT: 1644

**EXAMINER:
Kim, Yunsoo.**

**CONFIRMATION NO.
5803**

DOCKET: D6508

**MS Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313**

**RESPONSE TO RESTRICTION REQUIREMENT AND
CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

Dear Sir:

In response to the Examiner communication mailed October 21, 2005, Applicant hereby provisionally elects group I, claims 1-10 and 14, drawn to a chimeric/monoclonal antibody with traverse, for examination.

Applicant further requests that group II, claims 11-13 be rejoined with group I, claims 1-10 and 14 for examination. Group I is drawn to a chimeric/monoclonal antibody. Group II is drawn to methods of using this antibody in treating arylcyclohexylamines drug abuse. The Examiner contends that groups I and II are distinct because the antibody of group I can be used in a materially different process such as for affinity purification, in addition to the

method of treating arylcyclohexylamines drug abuse. Applicant respectfully disagrees.

Applicant submits that a purpose of the instant invention was to create monoclonal antibodies that could be used safely to treat arylcyclohexylamines drug abuse in humans. Since mAb6B5 (of mouse origin) was not safe to be used in humans, the instant invention engineered the genes of mAb6B5 into a chimeric mouse/human antibody (Summary of Invention, Detailed description of Invention). The instant invention further disclosed the testing the ability of this chimeric antibody in reversing the effects of the drug abuse in vivo and in predicting the efficacy in Phase I clinical trials (Example 7). Thus, the instant invention did not teach or suggest the use of this antibody for affinity purification. Neither did the Examiner point out any reason or support for using this antibody in affinity purification. Accordingly, the Applicant submits that the Examiner's assertion of affinity purification is not a reasonable use.

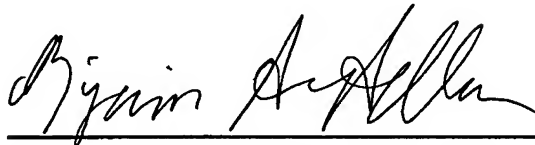
In view of the fact that group I and II are not distinct inventions, they would not require different searches. Hence, examination of the groups I and II together would not pose a serious burden on the Examiner. Accordingly, the Applicant respectfully requests that Group II, claims 11-13 be joined with Group I, claims 1-10, 14 for examination. Applicant believes that no fees are due. However, if this is in error, please debit any fees due from Deposit Account No. 07-1185 on which Applicant's counsel is allowed to draw.

I certify under 37 CFR 1.8 that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient

postage on the date below and is addressed to: Mail Stop NON-FEE
AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313.
Please return the enclosed postcard acknowledging receipt of this
correspondence.

Respectfully submitted,

Date: 11/17/05



Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Counsel for Applicant

ADLER & ASSOCIATES
8011 Candle Lane
Houston, Texas 77071
713-270-5391
badler1@houston.rr.com